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EXAMINER

DUONG, OANH L

ART UNIT PAPER NUMBER

2155

DATE MAILED: 08/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/705,089

Applicant(s)

HIRAYAMA, TOMOSHI

Examiner

Oanh L. Duong

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 November 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

***Abstract Objection***

1. The abstract of the disclosure is objected to because the abstract should not be more than 150 words in length. Correction is required. See MPEP § 608.01(b).

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-35 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The claims are generally narrative and indefinite, failing to conform with current U.S. practice. They appear to be a literal translation into English from a foreign document and are replete with grammatical and idiomatic errors.

Regarding claims 32 and 33, "the same" in page 53 line 4 and in page 54 lines 9-10 do not have a clear meaning.

Claim s 1, 9, 10 and 13 recite the limitation "the network" in page 39 lines 3-5 "the related request" in page 39 line 14, "the destination" in page 39 line 16, "the telephone" in page 42 line 21 and page 43 line 7, "the intended information" in page 44 lines 7-8, "said request" in page 44 line 13, "the destination" in page 44 line16, "said user" in page 45 line 2, "the web page" in page 45 line 5, "the destination" in page 48 line 17, "the user" in page 49 line 8, "the user apparatus" in page 49 line 11, "the

communication" in page 49 line 17, "the destination" in page 53 line 13. There is insufficient antecedent basis for this limitation in the claim.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. Claims 1, 2, 13, 15-17, 21-25 and 31-35 are rejected under 35 U.S.C. 102(a) as being anticipated by Gabber et al. (Gabber) (US 5,961,593).

Regarding claim 1, Gabber teaches a network system having an information providing apparatus (i.e., server site 110g) for providing information via the network and a user apparatus (i.e., user site 105) for acquiring intended information via the network (Fig. 2), comprising:

a user apparatus for requesting intended information with respect to a specific information providing apparatus to a predetermined information relaying apparatus different from said information providing apparatus (col. 3 lines 31-27);

an information relaying apparatus for changing said request for information with respect to said user apparatus to a format that does not enable identification of the user apparatus originating the related request transmitting the format changed request to the information providing apparatus of the destination of the request, when there is a request for communication from said information providing apparatus, performing

predetermined communication with respect to said user apparatus and enabling communication between said information providing apparatus and said user apparatus (col. 5 line 58-col. 6 line 12); and

an information providing apparatus providing information via the network, requesting communication with said user apparatus originating the request from providing said information relaying apparatus based on said request for information transmitted from said information relaying apparatus (col. 6 lines 33-37).

Regarding claim 13, a method of claim 13 has a corresponding network system of claim 1; therefore, claim 13 is rejected under the same rationale as applied to claim 1.

Regarding claim 22, Gabber teaches information relaying apparatus comprising (Fig. 1):

a first receiving means for receiving a request for intended information with respect to an information apparatus from the user, a converting means for converting said received request for information to a format that does not enable identification of the user apparatus originating the apparatus from the user; request, a transmitting means for transmitting said converted request for information to the information providing apparatus (col. 15 line 56-col. 16 line 3);

a second receiving means for receiving a request from the communication with respect to said user apparatus from said information providing apparatus, a user apparatus detecting means for identifying the user apparatus of the destination of the communication based on said received request for communication, and a

communicating means for predetermined communication based on said request with respect to the user apparatus based on said detection result (col. 6 lines 18-37).

Regarding claims 2, 15 and 23, Gabber teaches said information relaying apparatus deletes information identifying the user apparatus originating the request with respect to said request for information imparts a predetermined identifier that does not enable identification of the user apparatus originating the request but identifies the request for information (col. 3 lines 40-50), and transmits the request to the information providing apparatus and said information providing apparatus notifies said information relaying apparatus of a predetermined identifier for identifying said request for information attached to said request sent from said information relaying apparatus so as to request communication with the user apparatus originating the request to the information relaying apparatus (col. 6 lines 33-37).

Regarding claim 16, Gabber teaches one or both of an IP address and telephone number of the user apparatus (col. 6 lines 38-51).

Regarding claim 17, Gabber teaches said information providing apparatus generates response information for said request based on said request for information transmitted from said information relaying apparatus and transmits the response information to the information relaying apparatus and said information relaying apparatus transmits said response information to said user apparatus through the network (col. 6 lines 33-37).

Regarding claim 21, a communication system of claim 21 has a corresponding method of claim 13; therefore, claim 21 is rejected under the same rationale as applied to claim 13.

Regarding claim 24, Gabber teaches generates a random identifier unrelated to the information identifying the user apparatus originating the request as the predetermined identifier identifying said request for information (col. 16 lines 38-41).

Regarding claims 25, Gabber teaches said converting means generates said predetermined identifier identifying said request for information based on information identifying the user apparatus originating the request (col. 10 line 66-col. 11 line6), and said user apparatus detecting means reversely generates information identifying said user apparatus originating the request to identify the user apparatus originating the request to identify the user apparatus based on said predetermined identifier identifying said request for information notified from said information providing apparatus (col. 7 lines 34-39).

Regarding claim 31, Gabber teaches said communicating means communicates with said user apparatus by a communication path including at least one of a network, telephone line, or network telephone function through a network based on said request for communication (Fig. 2).

Regarding claim 32, an information relaying method of claim 32 has a corresponding relaying apparatus of claim 22; therefore, claim 32 is rejected under the same rationale as applied to claim 22.

Regarding claim 33, Gabber teaches information providing apparatus (Fig. 2) comprising:

a first apparatus providing on a web page an object having a function of receiving input of information enabling identification of a user apparatus accessing the web information to a page and transferring the received information to a specific apparatus in a format that does not enable viewing by the information providing apparatus and providing information on the network by using a web page that can perform the request via the object with respect to the user apparatus requesting the communication (col. 8 lines 12-43) and

a second processing for handling a request comprised of said request for communication received from said object converted to a format that does not enable identification of the user apparatus and transmitting the same to a predetermined designated response apparatus (col.10 line 66-col. 11 line36).

Regarding claim 34, Gabber teaches said first apparatus arranges said object said web page in a state clearly indicated as an object for said processing in a state unable to be viewed from said information providing apparatus (Fig. 3).

Regarding claim 35, Gabber teaches a second apparatus is provided with a database means storing information, searches through the database means and generate information of a response to a request for communication when said request for communication is a request for information, and transmits the same to a predetermined designated response apparatus (col. 6 lines 33-37 and col. 7 lines 34-38).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3-8, 11, 12, 14 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber in view of Grunsted et al. (Grunsted) (US 6,192,123 B1).

Regarding claims 3 and 14, Gabber does not specifically teach a predetermined object for operation.

Grunsted, in the same field of endeavor, teaches said information providing apparatus provides information by a web page having a predetermined object requesting information and for operation when said user apparatus accesses said web page to obtain information and requests said information from said information providing apparatus when a predetermined object is operated (col. 5 lines 6-17). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the predetermined object of Grunsted in the process of providing information via the network in Gabber because such use of predetermined object would enable the user to speak immediately with a company representative, and thereby enhancing the services of the system.

Regarding claim 4, Gabber-Grunsted teaches said predetermined object for requesting information provided in web page provided by the information providing the apparatus performs processing for inputting information relating to said request for

information in said user apparatus in a state not able to be viewed by said information providing apparatus and transmitting said input information to said information relaying apparatus in a state not able to be viewed by said information providing apparatus (Gabber, col. 8 lines 18-43).

Regarding claim 5, Gabber-Grunsted teaches said object has an appearance which clearly indicates it is an object performing said processing in a state not able to be viewed by said information providing apparatus (Fig. 3).

Regarding claim 6, Gabber-Grunsted teaches said predetermined object is a processing module encrypted by said information relaying apparatus and substantially provided in said information providing apparatus (Gabber, col. 8 lines 12-43).

Regarding claim 7, Gabber teaches said information providing apparatus generates response information for said request based on said request for information transmitted from said information relaying apparatus and transmits the response information to the information relaying apparatus and said information relaying apparatus transmits said response information to said user apparatus through the network (col. 6 lines 33-37).

Regarding claims 8 and 18, Gabber-Grunsted teaches said information apparatus searches for a person suitable for responding to said request notifies the request for information to said person (Grunsted, col. 9 lines 46-47). Information relaying apparatus (Gabber, central proxy server 110a).

Regarding claim 11, Gabber-Grunsted said information relaying apparatus stores content of a request for information, information identifying the user apparatus

originating the request, and a predetermined identifier identifying the request for information linked together, performs predetermined statistical processing on the stored information/ and analyzes the generation of requests for information (Gabber, col. 7 lines 25-38).

Regarding claim 12, Gabber-Grunsted teaches said information providing apparatus determines an environment of said information providing apparatus including one or both of a configuration of said information providing apparatus and the deployment of persons for handling said requests for information based on the result of analysis (Grunsted, col. 5 lines 40-62).

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber in view of Grunsted et al. (Grunsted) (US 6,192,123 B1) in further view of Deng (US 2002/0097708 A1).

Regarding claim 9, Gabber-Grunsted does not explicitly teach secures a communication path as claimed.

Deng, in the same field of endeavor, teaches the request for communication from the information providing apparatus to said information relaying apparatus is a request for communication by voice through the telephone and said information relaying apparatus calls said user apparatus and secures a communication path by telephone between said information providing apparatus and said user apparatus based on said request for communication (pages 8-9 paragraphs 70-71 and 73). It would have been obvious to one having ordinary skill in the art at the time the invention was made to

have utilized the security path of Deng in the process of providing information in Gabber because such a secure path would prevent voice data to be routed from certain users to called parties who do not have security clearance, thereby increasing the system security.

6. Claims 10 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber in view of Deng (US 2002/0097708 A1).

Regarding claims 10 and 20, Gabber does not explicitly teach secures a communication path as claimed.

Deng, in the same field of endeavor, teaches the request for communication from the information providing apparatus to said information relaying apparatus is a request for communication by voice through the telephone and said information relaying apparatus requests real time voice communication with the user apparatus through the network and secures a communication path by telephone between said information providing apparatus and said user apparatus through said voice communication apparatus based on said request for communication (pages 8-9 paragraphs 70-71 and 73). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the security path of Deng in the process of providing information in Gabber because such a secure path would prevent routing voice data from certain users to called parties who do not have security clearance, thereby enhancing the system security.

7. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber in view of Deng (US 2002/0097708 A1).

Regarding claim 19, Gabber does not explicitly teach secures a communication path as claimed.

Deng, in the same field of endeavor, teaches the request for communication from the information providing apparatus to said information relaying apparatus is a request for communication by voice through the telephone and said information relaying apparatus calls said user apparatus and secures a communication path by telephone between said information providing apparatus and said user apparatus based on said request for communication (pages 8-9 paragraphs 70-71 and 73). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the security path of Deng in the process of providing information in Gabber because such a secure path would prevent voice data to be routed from certain users to called parties who do not have security clearance, thereby increasing the system security.

8 Claims 26-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gabber in view of Kubota et al. (Kubota) (US 6,480,881 B1).

Regarding claim 26, Gabber teaches a storage means for storing information including information identifying the user apparatus originating the request (col. 7 lines 34-39), and predetermined identifier (col. 7 lines 34-39).

Gabber does not specifically teach storing information identifying requested information.

Kubota, in the same field of endeavor, teaches storing information identifying requested information (Fig. 5 col. 11 lines 1-67). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the stored information of Kubota in the process of providing information in Gabber because such information would allow required information to be obtained efficiently and quickly from various types of information sources (Kubota, col. 2 lines 20-22).

Regarding claim 27, Gabber-Kubota teaches detects information stored in said storage means and identifies the user apparatus based on said predetermined identifier (Gabber, col. 7 lines 34-39).

Regarding claim 28, Gabber does not specifically teach analysis means.

Kubota, in the same field of endeavor, teaches an analysis means for performing predetermined statistical processing on said information relating to said request for information which is stored and analyzing the generation of said requests for information (col. 10 line 50-col. 11 line 67). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have utilized the analysis means of Kubota in the process of providing information in Gabber because such analyzing means would allow required information to be obtained efficiently and quickly from various types of information sources (Kubota, col. 2 lines 20-22).

Regarding claim 29, Gabber-Kubota teaches said storage means stores information relating to the time of occurrence of a request for information linked with

said requests for information and said analysis means analyzes said requests for information using the time as an indicator (Kubota, col. 11 lines 10-67).

Regarding claim 30, Gabber-Kubota teaches said storage means restores said requests for information for each user apparatus and said analysis means analyzes said requests for information using the user apparatus as an indicator (Kubota, col. 11 lines 1-67).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (703) 305-0295. The examiner can normally be reached on Monday- Friday, 8:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (703) 308-6662. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

O.D  
August 3, 2004

  
**HOSAIN ALAM**  
SUPERVISORY PATENT EXAMINER